

#24

PTO/55/30 (10-01)

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# REQUEST F R CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/303,040
Filing Date	04/30/1999
First Named Inventor	Barbara J. Winslow, et al.
Art Unit	1648
Examiner Name	Park, Hankyel
Attorney Docket Number	SY01113Q

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition Under 37 CFR 1.313(c)(2)- 2 pgs.

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0365
- i. ☒ RCE fee required under 37 CFR 1.17(e) See Fee Transmittal
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) \$
- iii. ☒ Other See Fee Transmittal attached.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nancy V. Connelly	Registration No. (Attorney/Agent)	46,638
Signature	<i>Nancy V. Connelly</i>	Date	April 21, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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PTO/SB/17 (01-03)

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1060.00)

## Complete If Known

Application Number	09/303,040
Filing Date	April 30, 1999
First Named Inventor	Barbara J. Winslow, et al.
Examiner Name	Park, Hankyel
Art Unit	1648
Attorney Docket No.	SY01113Q

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

19-0365

Schering-Plough Corporation

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 820*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 830	2253 485	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1431 1,510	1431 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (lines number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	750
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1060.00)

## SUBMITTED BY

Name (Print/Type) Nancy V. Connelly

Registration No. 46,638

(Complete if applicable)

Telephone 908-298-4107

Signature

Date April 21, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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**SCHERING-PLOUGH CORPORATION**  
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KENILWORTH, NEW JERSEY 07033  
(908) 298-4000

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**FACSIMILE TRANSMITTAL SHEET**

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TO:

FAX NUMBER:

703-308-6916

**SHERRY D. BRINKLEY**United States Patent Office, Washington,  
DC

FROM:

PHONE NUMBER:

Nancy V. Connelly

(908) 298-4107

Registration No. 46,638

TOTAL NO. OF PAGES INCLUDING COVER

DATE

9

April 21, 2003

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NOTES/COMMENTS:

Re: Serial No.: 09/303,040

In Re Application of Barbara J. Winslow *et al.*, Filed April 30, 1999

Group Art Unit: 1648, Attorney Docket No. SY01113Q

For:

**RECOMBINANT VIRUS EXPRESSING FOREIGN DNA ENCODING FELINE CD80,  
FELINE CD86, FELINE CD28, FELINE CTLA-4 OR FELINE INTERFERON-  
GAMMA AND USES THEREOF**

Enclosed please find the following documents in the above-referenced matter:

1. Request for Continued Examination (RCE) - 1 page
2. Fee Transmittal form - 1 page IN DUPLICATE
3. Petition Under 37 CFR 1.313(c)(2) - 2 pages
4. Supplemental Information Disclosure Statement - 1 page
5. PTO Form 1449 - 1 page
6. Certificate of Fax Transmission - 1 page
7. Fax Cover Sheet - 1 page

PHONE: (908) 298-4107

FAX: (908) 298-5388

Attorney Docket No.: SY01113Q

First Named Inventor: Barbara J. Winslow et al.

Application No.: 09/303,040

Filing Date: April 30, 1999

PTO/SB/97 (08-00)

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**Certificate of Transmission under 37 CFR 1.8**

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on April 21, 2003

Date

  
SignatureNancy V. Connelly, Reg. No. 46,638

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify  
each submitted paper.

**Documents enclosed:**

Request for Continued Examination (RCE) - 1 page

Petition Under 37 CFR 1.313(c)(2) - 2 pages.

Fee Transmittal Form - 1 page IN DUPLICATE

Supplemental Information Disclosure Statement - 1 page

PTO Form 1449 - 1 page

Certificate of Fax Transmission - 1 page

Fax Cover Sheet - 1 page

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